



Shared Solutions

September 2000

Public Service...Employment for the 21st Century

Vol. 7 Issue 1

Put to the Test...



SPB just cut the ribbon on a new computerized test center in Sacramento at 660 J Street, Suite 210. This new facility features 21 work stations, provides an increased level of testing services to the public, and permits the State to better compete with the private sector in today's tight labor market by expediting the testing/hiring process.

The center currently tests for one of the State's high-use, entry-level jobs, Staff Services Analyst (SSA). The test center's user-friendly environment allows job seekers to apply for exams on-line, take the computerized SSA exam, and get exam results within minutes.

SPB plans to offer other continuous computerized exams in the near future. The test center is open daily 8a.m. to 5p.m.



a New Career
With the State

by Evan Gerberding



While you're on the road to a new career, the path can be bumpy at times. That's why the State Personnel Board has produced a lively new video that takes viewers through the step-by-step process of applying for civil service employment.



The 10-minute video, "On the Road to a State Career" features Bay Area actor, Ruben Grundy, and was created with the assistance of Cal Image Productions in Rancho Cordova. The tape will be shown at job fairs and other recruitment events throughout the State. It will also be available for viewing in the State Personnel Board's lobby.

The tape is available with either English or Spanish subtitles, and can be purchased for \$25. For more information, contact Jim Likes at 653-1163.

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Finding the Needle in the Haystack: The Challenge of Recruiting and Retaining Sharp Employees

by Shelley Langan

Today's employers, both public and private, are facing a crisis never before experienced in most managers' and supervisors' careers. This crisis is having direct impact on the ability of businesses to meet the ever-growing demand for their products and services. What makes this crisis so unique is that it does not involve traditional hard-cost issues such as materials supply or profit reductions. The crisis that is hardest hitting businesses today, across the board, is recruiting and retaining qualified employees.

In a survey conducted by RewardsPlus of America, 52 percent of employers cited recruitment and retention as the number one employment issue they are facing today. Fueling this crisis are two rather diverse issues: unemployment rates around the country on average are experiencing 30-year lows and potential employees are no longer lured to employers simply on the basis of salaries or traditional benefits packages.

The national unemployment rate is currently hovering around 3.9 percent, and Sacramento's unemployment rate is a near equally low 4 percent. What this means for employers is that there are fewer individuals available in the labor market to fill vacant positions. Recruitment efforts, which have traditionally focused on enticing individuals to accept available jobs, now have to first focus on finding interested individuals to try to entice.

The second issue affecting the current recruitment and retention dilemma for employers involves the needs and desires of today's labor force. According to the Bureau of National Affairs, the median time that employees stay in a single job is 4 years. Gone are the days of coveted employer-employee loyalty. Business demands and competition have forced employers to find different ways of conducting business which has resulted in reduced job security and the use of layoffs and work force reorganizations as ways to maintain market share and a competitive edge. Additionally,

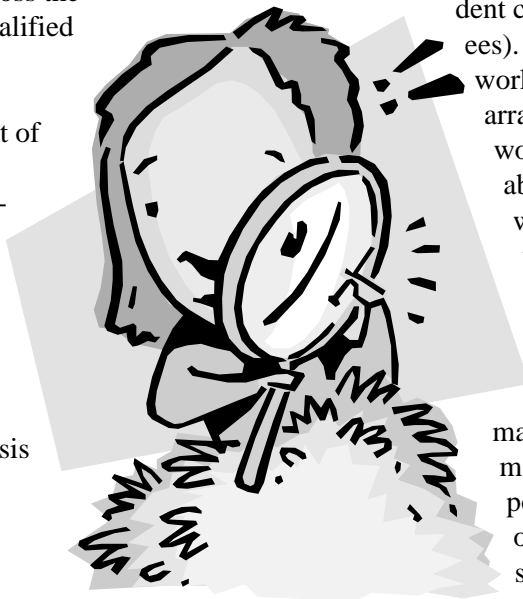
employees are now more interested than ever in finding ways to balance work life and home life. The idea of job security is no longer of top concern to most employees and applicants. The notion of the traditional Monday through Friday, 8 to 5 job has also been impacted by the changes in how businesses operate and succeed and how their employees cope with working and managing their personal lives. The demographics of today's work force and the types of jobs businesses are offering have evolved to a point that traditional recruitment and retention strategies have lost much of their effectiveness.

Approximately 30 percent of American workers are in non-standard work arrangements (e.g., part-time jobs, temporary jobs, on-call jobs, working as independent contractors or contract employees). Further, many of the employees working in these non-standard work arrangements desire this type of work arrangement. Additionally, about 20 percent of America's work force works schedules other than traditional 9-to-5 schedules (e.g., evening and late-night shifts, early morning shifts), and 15 percent of this "shift" work force is comprised of managers and professionals. In many businesses, all levels of positions have seen a shift in terms of work arrangements and/or schedule requirements. These shifts have allowed businesses to

remain competitive and have, in turn, provided employees with options for employment that allow them to better balance work demands with personal life demands on a more individual basis. It is not uncommon these days in the work place for employees doing similar jobs to work different work schedules or even be employed as different types of employees (e.g., permanent full-time vs. part-time or temporary appointments), all the while working toward the same business-oriented goals and expectations.

Another factor affecting how successful businesses can be in their recruitment efforts is the fact that employees now, in this job vacancy-rich economy, have the ability to seek employment with organizations whose values more closely fit their own personal values. Thus, organizations that offer a work environment and salary and benefits packages that are closely tied to the needs and wants of potential applicants are far more successful in their recruitment efforts than are

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State Employee Mediation Program

by Elise Rose

SPB is excited to announce an expansion of the State Employee Mediation Program (SEMP). Within the next few months, we hope to be able to offer mediation to participants in our Appeals Division processes. We are in the process of hiring a mediation coordinator who will be responsible for integration of the SEMP into existing Appeals Division evidentiary hearing processes. Given our success with the program so far, we believe that employees and departments should consider using mediation in appropriate Appeals Division cases to resolve disputes that are otherwise subject to our evidentiary hearing processes.

What, you may ask is an “appropriate” case for mediation? If the parties to the conflict continue to work in the same work unit, finding a mutually satisfying way to resolve or at least manage that conflict is generally

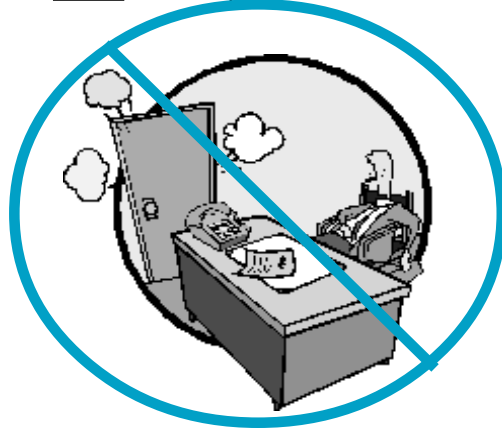


preferable to an imposed solution. Where the interpersonal relationship between co-workers or between an employee and his or her supervisor has broken down, mediation is often effective to mend that relationship and to help the parties to continue working together in an improved work environment. Some of the most common causes of

conflict in the workplace revolve around issues of differences in communication style or personal/management styles, or feelings of mistrust and disrespect. Mediation helps the parties to address these issues, clear up misunderstandings, and identify what they need to work together more effectively in the future. The mediator does not impose a solution, but helps the parties craft their own agreement in a confidential, informal, and respectful environment.

While we have mediated some cases that were pending hearing in our Appeals Division, SEMP has primarily been used as an early intervention tool. We have already successfully mediated a number of disciplinary issues, medical issues, discrimination issues and reasonable accommodation issues that surfaced but

Put an END to days like these...



were not yet the subject of a formal complaint or action. We have also mediated disputes that might not have been susceptible to resolution by existing dispute resolution processes (i.e. a “discrimination” complaint denied by a department and found not to state a prima facie case by the Board). The SEMP has been well received by employees and departments alike. By integrating the program into our Appeals Division, we hope to make it more visible and more available.

We anticipate the integration of SEMP into the Appeals Division processes will work in the following manner. Appellants and complainants will receive a letter that briefly describes the mediation process and inquires whether they are interested in submitting for mediation the dispute that is the subject of their appeal. If they are interested, we will ask them to identify the individuals involved in the dispute that underlies their appeal. If those individuals and the department agree to participate in a mediation, the mediation will be scheduled as soon as all parties are available to participate. The parties will be asked to waive the timelines for evidentiary hearing and decision to assure adequate time for the mediation to occur, but our goal is *not* to delay the evidentiary hearing in the event the mediation does not result in an agreement between the parties.

Of course, employees and departments interested in the program do not have to wait until a dispute ends up in a formal complaint to take action to resolve the dispute. Early intervention is still the best way to assure the best chances for success in a mediation, and is certainly the best way to avoid costs and disruption both to the well-being of the disputants as well as that of the entire workplace impacted by the dispute.

If you have any questions, please feel free to call Elise S. Rose, Chief Counsel and Director of SEMP, at (916) 653-1403, or log on to our website and view our mediation brochure.

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those organizations that have not fully recognized what applicants desire today.

According to studies by Towers Perrin and the National Association of Colleges and Employers (NACE), the desires of top performers (that is, those individuals who have the potential to be the best-performing, most successful employees in an organization) today include:

- § Challenges in their jobs
- § Change on the job
- § Opportunities for growth with the employer
- § A rewards system (e.g., salary increases, bonuses) based on performance
- § Autonomy to complete work assignments

These same studies identified what top performers do not want in their jobs. The most unattractive employment attributes for these top performers include:

- § Rules
- § Regulations
- § Policy manuals
- § Long meetings
- § Job descriptions and duty statements

To understand why the above attributes are so unattractive to top performers, one has to recognize the values that top performers bring to an organization. Top performers, by the very nature of who they are and the skill set they possess, are those employees who want to be allowed to use their expertise on the job and then be held accountable for their performance. Top performers want work to be fun in the sense that as highly skilled employees working in jobs that appeal to them, they find enjoyment in being able to utilize their skills and expertise. Top performers have very high expectations for themselves and for the people with whom and for whom they work.

In attempting to recruit these top performers, employers have to recognize what applicants are looking for in terms of job opportunities from the work itself to the salary and benefits offered, right down to the work environment. The employer's image looms large in any recruitment effort. How the employer is perceived in terms of its work environment and the employment opportunities it offers will have a direct impact on the success of its recruitment efforts.

Recruitment strategies need to focus on the message – *how* an employer goes about recruiting is just as important as *what* the employer is offering in terms of employment opportunities. Additionally, employers

Bilingual Services Program Unit

By Juana Rodriguez

The State Personnel Board has established the Bilingual Services Program Unit (BSPU) and is in the process of hiring staff for the positions in the unit. The purpose of the BSPU is to provide departments technical assistance in implementing the requirements of the Dymally-Alatorre Bilingual Services Act and monitoring and evaluating departmental compliance with the provisions of the Act. The Dymally-Alatorre Act ensures that state departments provide bilingual services to the State's limited or non-English speaking population in order to ensure effective communication with the people of the State who may otherwise be precluded from utilizing public services because of language barriers. Departments have recently completed the 1999-2000 Biennial Language Survey and SPB is in the process of compiling and analyzing the results for its report to the Legislature.

Bilingual services are vast and range from providing public counter service to providing a translation of an informational pamphlet that is distributed to the English-speaking population. When issues are identified, SPB wants to help ensure that the departments receive the guidance necessary to meet their responsibilities. Please make it a point to call Juana Lopez-Rodriguez, our Bilingual Services Coordinator with any questions you may have regarding the bilingual services you should be providing. Juana's telephone number is (916) 653-1721 or e-mail her at J.Lopez-Rodriguez@spb.ca.gov

More information about this service will be shared with you on our web site, as it becomes available.



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Civil Rights Programs Unit...

By Ted Edwards

SPB's Civil Rights Programs Unit coordinates the State's Equal Employment Opportunity/Affirmative Action (EEO/AA) Program to foster diversity in the State civil service work force. Since the passage of Proposition 209, we have had new challenges to overcome, namely the belief by some that EEO/AA activities are no longer important and need not be done. This is certainly not true. SPB and State departments are still obligated to comply with all EEO/AA statutory requirements. To help ensure compliance, the Unit works closely with State departments to identify any serious underutilization of minorities, women, and persons with disabilities in State jobs and to remove discriminatory employment barriers that hinder equal employment opportunity for all individuals. Some of the Unit's important functions include:

- **Monitoring the status of diversity in the State civil service work force.** SPB issues its findings in its *Annual Census of State Employees and Affirmative Action Report to the Governor and the Legislature*. This report can be found on SPB's web site (<http://www.spb.ca.gov>).
- **Monitoring formal discrimination complaint activity in State departments.** SPB issues its findings in its *Annual Report to the Legislature on Formal Discrimination Complaint Activity in State Departments*, which will soon be placed on SPB's web site.
- **Monitoring adverse actions for any disproportional impact based on race, gender or disability.** The staff is also working to determine the status of implementation of recommendations made by the former Adverse Action Task Force.
- **Coordinating the annual equal employment opportunity goals and timetables process.** The Unit currently reviews and approves the annual employment goals of 84 State departments. The results are included in SPB's *Annual Census of State Employees and Affirmative Action Report to the Governor and the Legislature*.

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Precedential Decision No. 00-01

Appellant filed an appeal with the Board that asserted that Caltrans constructively medically suspended him, discriminated against him based upon disability, and failed to reasonably accommodate him from April 21, 1997, when his doctor released him to return to work with certain restrictions, to March 11, 1998, when Caltrans returned him to work as a Transportation Engineering Technician. In this Decision, the Board finds that Caltrans constructively medically suspended appellant and engaged in illegal disability discrimination when it failed to respond for almost 11 months to the return to work release issued by appellant's doctor. The Decision awards appellant lost back pay and benefits, and \$25,000 in compensatory damages. The Decision was designated as Precedential because it addressed the following issues not addressed in prior Precedential Decisions:

(1) when statutes of limitation and exhaustion of administrative remedies defenses must be raised in order to be addressed by the Board; (2) the Board's decision to apply either ADA or FEHA, whichever is more protective of employee rights, in disability discrimination cases; and (3) the factors the Board will consider when determining whether to award compensatory damages.

Precedential Decision No. 00-02

Appellant was non-punitively terminated from his position as a Correctional Officer with the Department of Corrections, pursuant to the provisions of Government Code § 19585, for having pled nolo contendere to a violation of Penal Code § 243 – spousal abuse. The Department contended that having so pled, appellant was precluded from possessing a firearm under both state and federal law (Penal Code § 12021; 18 U.S.C. §§ 921, 922). Since Correctional Officers are required to utilize firearms in the performance of their duties, appellant was non-punitively terminated effective March 27, 1999. The ALJ revoked the termination, finding that appellant had withdrawn his plea on April 2, 1999, and that, as a result, he had not been convicted of a violation of Penal Code § 243. In this Decision, the Board finds that appellant's plea agreement specifically provided that he would be permitted to participate in the "Deferred Entry of Judgment Program," a form of pre-trial diversion under Penal Code § 1001.50 *et seq.* Applicable state statutes provide that no conviction results even when a defendant enters a plea of

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guilty or nolo contendere, provided the defendant successfully completes the diversion program. Here, appellant was still participating in pre-trial diversion at the time he was terminated from his position. Since he had not been convicted of the charged violation as of the date of his termination, he was not precluded from possessing a firearm under state law. Therefore, the termination was improper. In addition, in this Decision the Board finds that fundamental principles of due process require that appellant be awarded back pay and benefits as a result of the Board's revocation of his non-punitive termination under Government Code § 19585.

Precedential Decision No. 00-03

Appellant, a correctional officer, filed a complaint with the Department alleging sexual harassment by a supervisor. In response to appellant's complaint, the Department disciplined the supervisor with a 5-day suspension. Appellant testified as a witness for the Department in the supervisor's adverse action appeal. The ALJ who heard that appeal found the supervisor more credible than appellant and revoked the adverse action. Thereafter, appellant filed a discrimination appeal with the Board based in part upon the same allegations that were litigated in the adverse action appeal. At the hearing, the ALJ dismissed much of appellant's discrimination complaint appeal on the ground that the doctrine of collateral estoppel barred her from relitigating the issues that were litigated in the supervisor's adverse action appeal. In addition, the ALJ denied appellant's request for a continuance, which was requested because of the grave illness of appellant's counsel's mother. Finally, the ALJ dismissed the remaining allegations based upon appellant's failure to present evidence in support of those allegations. In this Decision, the Board finds that appellant demonstrated good cause for a continuance due to the serious illness of appellant's counsel's mother. Further, the Board concludes that, because appellant was not a party, nor in privity with a party, to the supervisor's adverse action proceeding, but merely testified as a witness on behalf of the Department, appellant was not precluded from litigating her discrimination claims against the Department in this proceeding. The Decision remanded the case to an ALJ for hearing on the merits.

Precedential Decision No. 00-04

This case involves the issue of back pay due an appellant after the Board revoked the medical termination taken against her. In this Decision, the Board finds by a preponderance of evidence that appellant was ready, willing and able, at all relevant times, to perform the duties of the position to which she was eventually reinstated. Thus, appellant should receive back pay at that rate for the time she was off work due to the wrongful medical termination. The Decision further finds that there should be no off-set to the back pay award, even though appellant failed to look for any other job while off work, as the Department failed to present any evidence that comparable work existed for her to perform.

Precedential Decision No. 00-05

Appellant was demoted from the position of Facility Captain to the position of Correctional Lieutenant with the Department of Corrections based upon allegations that she, among other things, modified the lockdown status of inmates without first obtaining permission from the Warden. The Department conducted an investigation into the matter, but did not take disciplinary action against appellant for that violation until over one year after the investigation had commenced. Appellant contended the discipline was not timely under the Public Safety Officers Procedural Bill of Rights Act (POBOR), as that Act requires discipline to be taken within one-year after the commencement of the investigation into the alleged wrongdoing. In this Decision, the Board finds that, even though POBOR provides that the superior court shall have initial jurisdiction over alleged POBOR violations, the Board can exercise initial jurisdiction over such matters if the public safety officer voluntarily chooses to litigate the matter before the Board, as opposed to first filing a complaint in superior court.

Precedential Decision No. 00-06

Appellant was demoted from the position of Associate Warden to the position of Correctional Counselor II (Specialist) based upon allegations that she ordered subordinate officers to hang a bright pink men's athletic supporter cup in the window of Complex Control at Wasco State Prison (WSP) in celebration of the women's softball team victory at the Department

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Technical Training Program EXCITEMENT!

By Bill Groome

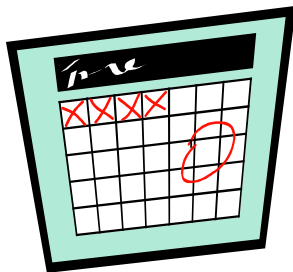
The Technical Training Program would like to congratulate the Spring graduates of the Selection Analyst Training Program. The following individuals received their Certified Selection Analyst plaques at the State Personnel Board meeting on May 2, 2000:

Anita Barrientos, Beverly Foreman, Cherrie Rideout, Debbie Cade, Diane Instness, Jackie Burell, Joanne Wright, Julia Shelmire, Kimberley A. Linderme, Lorene H. Zimbelman, Maria Mendoza Jett, Marisa Pereira, Michelle Kristoff, Suzanne Larsen.



The Technical Training Program is offering the Selection Analyst Training Program (Fall 2000 edition) in Sacramento. The first class in the series, "Overview of Selection Principles & Systems," will be held on September 28, 2000. Schedule early to guarantee your registration in this and the other classes. We do offer a 5% discount for pre-registration and payment of all twelve classes.

The Selection Analyst Training Program offers a state-of-the-art, comprehensive instructional curriculum for the development of selection analysts. This program provides selection analysts, whether novice or experienced, the opportunity to increase and enhance their selection-related knowledge and skills. The classes have been designed to provide participants with fundamentally sound, legally defensible, innovative means of performing selection-related work.



CLASS	DATE
Overview of Selection Principles and Systems	<i>September 28, 2000</i>
Statistics Made Easy for Personnel Selection	<i>October 3, 2000</i>
Examination Planning	<i>October 24, 2000</i>
Professional Selection & Test Validation	<i>October 26, 2000</i>
Supplemental Applications	<i>November 3, 2000</i>
Developing Interviews	<i>November 7, 2000</i>
Work Sample and Performance Tests	<i>November 17, 2000</i>
Developing and Using Written Examinations	<i>November 28, 2000</i>
Interpreting Item Analysis	<i>December 1, 2000</i>
Pass Point Setting	<i>December 5, 2000</i>

RECRUITMENT UPDATE

by Debra Santos-Silva

BAY AREA JOB FAIR ATTRACTS THOUSANDS OF JOB SEEKERS.

The State Personnel Board sponsored its first job fair of the new millenium at the Elihu Harris State Building in Oakland on Friday, April 14, 2000. The event was well attended by approximately 3,800 job seekers who spoke with Department representatives, participated in the Office Assistant examination administered on-site, filed an application for open State examinations, completed a computer-based Key Data Operator or Typing Proficiency test and/or explored the SPB's web site for employment opportunities.

The Oakland event was co-sponsored by eight other State departments including the California Highway Patrol, Department of General Services, CalTrans, Judicial Council of California, Department of Insurance, Department of Health Services, State Board of Equalization, and State Compensation Insurance Fund. Additionally, the State was well represented by 19 additional State departments and 2 other Bay Area public service agencies who participated in this successful event. The event was even visited by the City of Oakland's Mayor and former California Governor, Jerry Brown.

Many participating departments reported that they had to replenish materials well before the event was over, and were pleased with the level of attendance and number of potential applicants they spoke with. Given the difficulty many State departments experience in attracting applicants to their Bay Area jobs, the attendance and interest expressed by many of the attendees was a welcome surprise to many departments. If your department was unable to attend this event, extra copies of the event program are available from the State Personnel Board for reference and information at the number below.

The SPB is looking forward to exploring the possibility of expanding its outreach efforts to include a Southern California job fair in the near future. Any input or comments regarding scheduling of future State sponsored job fair events, can be directed to the Recruitment Unit at (916) 657-2103 or e-mail to StateRecruit@spb.ca.gov.

EMPLOYMENT INFORMATION BOOKLET

The SPB is in the process of finalizing an employment information booklet for use as a recruitment and resource tool to provide to job seekers. The booklet will contain a comprehensive compilation of SPB brochures and employment information into a single publication that State departments could provide to potential employees. The booklet contains information on a variety of subjects including the state examination process, SPB's web site, SPB's telephone recording system, departmental testing office listing, salary and benefits information, veteran's preference form, Limited Examination and Appointment Program, State careers by education and experience levels, and other employment and examination related information.

The SPB is in the process of working with the State Printing Plant to publish the booklet which will be available for departments to purchase later this year. As soon as the booklet is printed, the SPB will inform all State departments of its availability and the process for ordering copies.

RECRUITMENT SOURCES DIRECTORY

The SPB is finalizing the new Recruitment Sources Directory and working with the State Printing Plant to publish the updated version. It is anticipated that the new Directory will be published in hard copy format, in a binder, which will facilitate updates of the information. It will also be placed on the SPB web site in Adobe PDF format, for direct printing. However, due to the volume of the Directory, which totals approximately 400 pages, ordering printed copies may be more feasible. Additionally, the SPB is looking into copying the Access database with the Directory information onto CD-ROM to facilitate department's ability to produce mailing lists/labels for distribution of examination/employment information.

The SPB will inform State departments as soon as the Directory is finalized and provide information regarding ordering copies of the printed and/or CD-ROM versions.

ON THE ROAD

After the rebidding process, the State Personnel Board awarded its mobile testing unit contract to the Community College Foundation. The new mobile unit features on-site access to State Internet examinations, computer based typing proficiency and key data operator tests. It is also equipped with 10 computers, which enable the State to provide on-site access to the public at a variety of locations.

Now that schools are back in session, SPB is taking the mobile unit to various colleges and universities to bring testing opportunities straight to the students' door.

The State Personnel Board encourages all State departments' participation in this project and is willing to discuss possible partnerships in conducting on-site outreach throughout the State. If your department has a specific need and would like to discuss joint outreach efforts, please contact the Statewide Recruitment Program at (916) 657-2103 or e-mail us at StateRecruit@spb.ca.gov.

RECRUITMENT EVENTS

The State Personnel Board continues to maintain a listing of recruitment events on its web site for department's reference. This listing is updated on a continuous basis by the Recruitment Program. Additionally, should your department become aware of any events that are not listed on our web site, each department has the ability to add new events to the listing.

The SPB encourages Departments to develop partnerships between agencies to ensure a broad representation of State departments at events. The State Personnel Board always welcomes joint efforts between itself and other State departments. Should you need assistance in disseminating information at an event SPB is attending, we would be happy to assist you.

- **Providing departments with technical assistance and training regarding equal employment opportunity and affirmative action.** The Unit conducts the following technical training workshops: Reasonable Accommodation and ADA Compliance; Establishing Annual Employment Goals and Timetables; and LEAP Coordinators Training. A PowerPoint presentation for each of these workshops is on SPB's web site.
- **Coordinating the Limited Examination and Appointment Program (LEAP).** This alternate selection process is designed to test persons with disabilities in a more equitable manner. Over 3,400 individuals have been appointed to State positions through LEAP. During the current fiscal year, examinations have been conducted for 11 LEAP classifications and, as of March 31st, 49 LEAP appointments have been made.

CLERICAL TESTING UPDATE

Greater San Francisco Bay Area

We are pleased to announce the release of the new Office Assistant (G) and (T) lists established for the Greater San Francisco Bay Area. These lists are a result of the April 14th file and test in-person process which yielded nearly 800 applicants. The lists are available to all departments ***free of charge!***

The 1,000 plus individuals who opted to file their application by mail were tested on June 3. Candidates who were successful in this administration were merged onto the new list mentioned above.

We would like to take this opportunity to extend our appreciation to those departments that generously volunteered their staff to assist us in the administration of the exams...THANK YOU!

Greater Sacramento Area

Planning is currently underway to administer open examinations for the classes of Office Assistant (G) and (T) for the Greater Sacramento Area.. There will be no cost to departments for these exams. ***Stay tuned for details!***

Test Talk

A Professional Development Program

The Test Validation and Construction (TV&C) Unit is continuing its offering of *TestTalk*, a lunch-hour, drop-in program providing testing professionals with opportunities to expand their testing expertise, share ideas, and network with other testing professionals.

One*TestTalk* sessions remain on the 2000 schedule. The last *TestTalk* session of the year is entitled "The Work Characteristics Inventory: A Behavioral Approach to Assessing Conscientiousness," and is scheduled for November 15th at 11:30 a.m.

All *TestTalk* sessions are held at the State Personnel Board, 801 Capitol Mall, Room 150. No registration is necessary to attend any of the sessions – simply join us! We are looking forward to the remaining 2000 *TestTalk* session and are planning to unveil our 2001 schedule soon! For more information on this exciting program, contact Mike Willihnganz at (916) 654-1672 or by e-mail at mwillihnganz@spb.ca.gov.

SPB SELECTION CONFERENCE

It was anticipated that SPB would administer the next Selection Conference in early 2001. After taking into consideration the many good suggestions received from our last conference, it was decided that we would also like departmental input on our next conference. As a result, departments will soon receive a survey to complete requesting information as to topics desired, timeframes, etc. Please be on the lookout for the survey, which will assist in making the next conference "your" conference. The conference date will be finalized upon the results of the survey. Keep watching for more updates in future issues of the Shared Solutions.

NEW AUTOMATED CASE TRACKING SYSTEM

FOR THE APPEALS DIVISION

by Ed Barragan

The State Personnel Board Appeals Division is close to having a new Automated Case Tracking System (ACTS) purchased to help the Appeals Division manage its appeals workload.

Since the Appeals Division has nearly six thousand (6,000) appeals cases to manage, an automated tracking system is necessary to track the flow of the process to bring an appeal to closure. For most appeals, the Board has six months from the filing of an appeal to resolve the case. Tracking the appeals without the assistance of a computer program would be nearly hopeless.

The new ACTS would replace an aging and outdated automated tracking system that is currently in place. One key feature of the new ACTS would enable the Board staff to schedule Administrative Law Judge (ALJ) and Staff Hearing Officer (SHO) hearings automatically. Scheduling of hearings is currently done on a manual basis. The new automated method should help greatly in insuring the most efficient use of the ALJ's and SHO's.

The design of the new ACTS also will allow for future use of the INTERNET, so that appellants and interested parties can access the status of any case through the INTERNET. It is also planned that the ALJ calendars would be accessible to those interested.

With approval of a Budget Change Proposal (BCP) for fiscal year 2000/2001, it is planned that development of the ACTS will begin soon after the Budget is enacted and signed by the Governor. Once the Budget is authorized, it is expected to take six months for the development of the ACTS. The target date for operation of the new system is January 1, 2001.

NEW SSA EXAM!!!!

The new Staff Services Analyst (SSA) examination process has made its debut. The first written exam administration was conducted on June 10th at the Sacramento Convention Center. Approximately 1,300 people scheduled to take the new written SSA examination on that date.

Effective March 15, 2000, the on-line Life Experience Questionnaire Internet exam was discontinued. A new on-line application and scheduling process is now available on the Internet. Applicants log on to the Internet (<http://jobs.spb.ca.gov/ssa/>) and enter their application information. The computer makes an immediate minimum qualifications determination based on the information provided by the applicant. If it is determined that the applicant is qualified, the computer will provide the applicant with an opportunity to schedule himself/herself for the written test. A variety of test dates and times, as well as locations, are available. The examination is being offered Statewide on a continuous file basis with new test dates and locations being added as needed.

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games, and that she was dishonest about her conduct during a subsequent investigatory interview. The ALJ sustained the demotion, finding that appellant had engaged in the inappropriate conduct. While the ALJ questioned whether demotion was the appropriate penalty, he found that since the alleged misconduct was supported by substantial evidence, the provisions of Government Code Section 19590 precluded him from modifying the penalty. In this Decision, the Board finds that it possesses the requisite authority to modify the penalty imposed on managerial employees under Section 19590, even if it finds the causes for discipline are supported by substantial evidence. A contrary interpretation would violate state merit system principles, would prohibit the Board from exercising its authority to render a decision that is just and proper, and would lead to absurd results. Having so decided, the Board finds that, while appellant exercised poor judgment, her motives were not malevolent, she genuinely regretted her conduct, and the likelihood of recurrence is low. As a result, the Board concludes that demotion was too stringent a penalty and modifies the discipline to a Letter of Reprimand.

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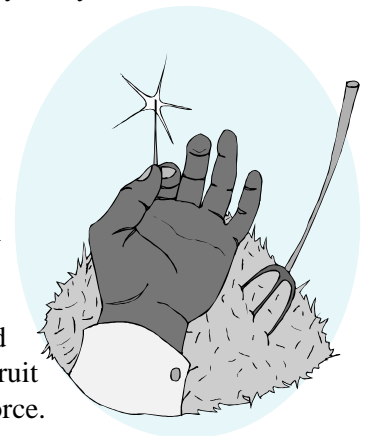
need to identify who their potential applicants are for the jobs for which they are recruiting, and then they must identify what these potential applicants desire in terms of job opportunities, salaries, benefits, and work environments. There is a direct link between what employment opportunities an employer offers and the kind of applicants and employees that employer will then have. Employers who seek top performers must be prepared to meet the needs of this group; those employers not willing to accommodate the needs of the top performers will then be forced to select from those who are left in the labor pool.

The second key component of the crisis affecting many employers today is the retention of employees once hired. In this new age of applicants being in such great demand, those employers successful in their recruitment efforts have to immediately concentrate on retaining those newly hired employees.

To address the issue of retention, many employers are opting for brand new incentive systems. Employers are finding that by combining traditional salary and benefit packages with other highly desirable "benefits of employment," they are able to both attract and retain quality candidates. Employers are offering what have been traditionally viewed as management perks to rank-and-file employees. These perks are focused on quality of life issues faced by today's work force and include such offerings as flexible work schedules, shortened work schedules, educational reimbursement, elder care benefits, and a host of employee conveniences.

In some employment settings, employees are offered such conveniences as on-premise laundry and dry cleaning services, vehicle maintenance services, and on-site or nearby fitness centers. What most employers are finding is that these additional work-life benefits so sought after by employees are typically of little or no cost to the employer. But, these "perks" provide employees with life-enriching options which can simplify the pressures faced by today's working families.

To be competitive in attracting and retaining the limited number of available workers in the work force today, employers must understand the issues they face and work to solve them. Without a clear understanding of the obstacles, employers will find it increasingly difficult to recruit and retain a qualified work force.



State Personnel Board's Legislative Update

By Judy Balmain

The following is a brief summary of the Board related bills currently before the Legislature in 2000.

AB 649 (Machado)

Among other issues, make major changes in the way appeals from adverse actions and rejections during probation involving civil service employees in Bargaining Unit 11 (Engineering and Scientific Technicians) are adjudicated.

AB 2222 (Kuehl)

Amends the California Fair Employment and Housing Act. Specifically, it would clarify the definitions of "mental disability," "physical disability," and "medical conditions." It redefines the phrase "major life activities."

AB 2301 (Lowenthal)

Enables Cooperative Personnel Services (CPS) to continue to provide licensing and certification exam services to state agencies. Urgency.

AB 2701 (Jackson)

Makes changes to the statute governing "fitness of duty examination" and revises the Confidentiality of Medical Information Act as it applies to medical examinations.

SB 2025 (Burton) Board Sponsored

Conforms the language of the Fair Employment and Housing Act in decisions on disability discrimination appeals and LEAP appointment process. Will be consistent with existing law in providing more protection when deciding individual cases before the Board. Assigns liability for court cost and attorney fee awards in judicial appeals of SPB.

SB 2047 (Polanco)

Clarifies that government agencies may engage in public sector outreach programs, including focused outreach and recruitment of minority groups and women if any group is "underrepresented" in relation to their representation in the civilian labor force.

NEW
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Application (Std 678)!!

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Precedential Decision No. 00-07

In this decision, the Board revokes the medical termination taken by the Department of Motor Vehicles pursuant to Government Code § 19253.5 against appellant. The decision finds that DMV failed to show that it adequately reviewed whether there were any other positions available in the Department into which appellant could have been medically demoted or transferred before it medically terminated her. The decision also finds that DMV was not required to convert appellant's temporary light duty assignment at the "Start Here" window at DMV's Santa Teresa Field Office into a permanent position as a reasonable accommodation under the Americans with Disabilities Act (ADA), the Fair Employment and Housing Act (FEHA), or Government Code § 19230 of the State Civil Service Act.

Item Analysis Getting Technical Raw ScoreTab

TV&C Welcomes a New Staff Member...The Test Validation and Construction (TV&C) Unit is pleased to announce the addition of its newest staff member, Hedieh Dehghan. Hedieh is completing her Master's degree in Industrial/ Organizational Psychology at California State University, Sacramento. Prior to joining the Board, Hedieh worked for the Department of Consumer Affairs' Board of Accountancy where she conducted research on candidate requirements for licensure. Please join us in welcoming Hedieh!

Revised Item Analysis and Raw Score Tab Reports Now Available...SPB's item analysis and raw score tab reports, which are used in the evaluation of test characteristics, have been updated to be more "user friendly." Please refer to the TV&C webpage for the following documents to assist in the interpretation of these reports: Interpreting SPB's Raw Score Tab, Adverse Impact - Calculating the Rule of One, and Interpreting Item Analysis Data.

Getting Technical with TV&C... TV&C continues to offer its publication series for selection analysts and assessment professionals – Getting Technical with TV&C...The goal of Getting Technical is to discuss and explain some of the more technical aspects of assessment and measurement in an understandable and practical manner. The Spring 2000 edition of Getting Technical provides an introduction to the development and use of multiple choice exams. This FREE publication is available in hard-copy format by contacting any member of TV&C, or via the TV&C webpage. The next issue of Getting Technical will be released this Fall.

Standards Summary... TV&C has summarized the 2000 edition of Standards for Educational and Psychological Testing, a reference containing professional standards for test development and use, authored by the American Educational Research Association, American Psychological Association, and National Council on Measurement in Education. The summary is available in hard-copy format by contacting any member of TV&C, or via the TV&C webpage.

Upcoming Professional Development Opportunities... International Personnel Management Association (IPMA) will hold its annual conference October 15-19 in San Francisco. Contact IPMA at (703) 549-7100 for more information about this upcoming event. TV&C staff continue to be available to assist you with a variety of testing and selection topics, so if you have questions, concerns, or issues with which we can assist, please don't hesitate to call upon us – we are only a phone call or e-mail message away!

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<http://www.spb.ca.gov/tvchome.htm>

LEAP EXAM UPDATE

The State Personnel Board (SPB) has recently released several Limited Examination and Appointment Program (LEAP) lists this past 1999/2000 fiscal year. These examinations include Electronics Technician, Information Systems Technician, Programmer I, Computer Operator, Staff Services Management Auditor, Research Analyst I (General), Word Processing Technician, Office Assistant (General and Typing), Program Technician and Account Clerk II.

Future LEAP examinations for the 2000/2001 fiscal year are in the development stages. Class titles proposed include Accountant Trainee, Auditor I, Food Service Worker, Supervising Cook I, Laboratory Assistant, Graduate Legal Assistant, Staff Counsel, and Mailing Machines Operator. Watch for upcoming LEAP Janitor testing bulletins for further details or check the SPB web site www.spb.ca.gov... For questions concerning current LEAP lists or upcoming LEAP examinations, please contact James Likes at (916) 653-1163 or via the net at jlikes@spb.ca.gov.

Whom Should I Contact?

State employees should contact their department's personnel office regarding all personnel matters. Departmental personnel and Equal Employment Opportunity staff may contact SPB staff as follows:

CALNET Prefixes: 653 = 453 / 654 = 454 / 657 = 437 SPB FAX NUMBER: (916) 653-0927

Subject	Contact Person	Phone	E-Mail
Appeals Information		653-0544	
Service Center	Daisy McKenzie	653-1232	dmckenzie@spb.ca.gov
Access to On-Line Cert/Exam & Exam Srv	Rosemarie Lopez	653-0904	rlopez@spb.ca.gov
CEA Allocations, Pre-employment	Patricia Embly	657-2389	pembly@spb.ca.gov
Drug Testing, Illegal Appointments, Resolutions			
Non-hearing Board Calendar, Contracts			
Civil Service Reform & Demonstration Projects	Carol Ong	653-1397	cong@spb.ca.gov
Data Processing Access & Scanning Services	Victor Mendoza	653-6234	vmendoza@spb.ca.gov
Equal Employment Opportunity, Goals and	Ted Edwards	653-1276	tedwards@spb.ca.gov
Timetables, LEAP, ADA/Reasonable Accom.	Sandra Henzler	653-1262	shenzler@spb.ca.gov
Exam Planning, List Usage, Cert, Demotions,	Kris Sullivan	653-1827	ksullivan@spb.ca.gov
Separations, Probation Periods, Reemployment,			
Reinstatements, Transfers and Veterans Policies			
Forms Management	Stacey Burdue	653-0350	sburdue@spb.ca.gov
Mediation, for more info...	Elise Rose	653-1403	erose@spb.ca.gov
	Bill Heal	653-0443	bheal@spb.ca.gov
Mediation, Gatekeepers to request:	Dorothy Smith	653-1749	dsmith@spb.ca.gov
	Stacey Burdue	653-0350	sburdue@spb.ca.gov
Miscellaneous Appointments, Layoff	Kris Sullivan	653-1827	ksullivan@spb.ca.gov
and Status Issues	(Temporarily)		
On-Line Printer Problems	Steve Brown	653-1484	sbrown@spb.ca.gov
Policy/Rulemaking/Manuals	Steve Unger	654-0842	sunger@spb.ca.gov
Policy & Selection Manuals		657-2654	
Orders & Subscriptions			
Psychological Screening	Chris Perri	653-1258	cperri@spb.ca.gov
Quality Assurance	Martha Esmael	654-5815	mesmael@spb.ca.gov
Recruitment	Debbie Santos-Silva	653-7325	dsantos-silva@spb.ca.gov
Reimbursable Exam Services and	Daisy McKenzie	653-1232	dmckenzie@spb.ca.gov
Access to Item Bank or Exam Library			
Registration for On-Line Cert/Exam Training	Katharine Cortenbach	653-1517	kcortenbach@spb.ca.gov
Test Validation & Construction	Mike Willihnganz	654-1672	mwillihnganz@spb.ca.gov
Technical Training Program	Bill Groome	653-1597	bgroome@spb.ca.gov
Technical Training, to register...	Dema Pedretti	653-2085	dpedretti@spb.ca.gov
Website Maintenance	Linda MacCracken	653-0560	lmaccracken@spb.ca.gov

Who wants to be a TEST DEVELOPER EXTRAORDINAIRE?

For instructions see the reverse side of this page...

The object of this game is to correctly answer as many consecutive questions as possible, beginning with the \$100 question. Indicate your response by circling your answer. Those who answer all of the questions, up to and including the \$125,000 lock-in question, will be in the running for a fabulous prize. Good Luck!

- \$100** Upon whose expertise should the tasks and KSAs of a job analysis be based?
A. testing experts B. human resources C. subject matter experts D. administrative experts
- \$500** What exam characteristic does the *4/5ths rule of thumb* evaluate?
A. deep impact B. difficulty C. double impact D. adverse impact
- \$1000** What term is used to describe a test's accuracy?
A. reliability B. righteousness C. consistency D. validity
- \$4000** What procedure does the *Uniform Guidelines* recommend to obtain a content valid exam?
A. job analysis B. item analysis C. class spec analysis D. exam analysis
- \$8,000** What type of validity provides statistical evidence that exam scores are related to successful job performance?
A. split-half B. criterion C. test-retest D. content
- \$16,000** What term describes the "question part" of an item?
A. root B. stem C. stamen D. key
- \$32,000** Which "Big 5" personality factor assesses work-related characteristics such as productivity, responsibility, and dependability?
A. extroversion B. conscientiousness C. agreeableness D. intellect
- \$64,000** What statistic is used to establish the "band of scores" within which the pass point on a written exam is set?
A. standard error of measurement B. mean C. correlation D. standard deviation
- \$125,000 (LOCK-IN QUESTION)** Which point biserial suggests that the correct answer is functioning well for an item?
A. -.39 B. .02 C. .36 D. 1.5
- \$500,000** Which type of selection instrument has the highest potential validity?
A. work sample tests B. structured interviews C. job knowledge tests D. ratings of training and experience
- \$1,000,000** Which court case ruled that employers must ensure that all components of a multiple-step selection process have no adverse impact?
A. Griggs v. Duke Power Co. B. Watson v. Fort Worth Bank C. Connecticut v. Teal D. Bouman v. Pitchess

Thank you for puzzling with us!

Who wants to be a TEST DEVELOPER EXTRAORDINAIRE?

TV&C's latest game, admittedly a spoof of a popular evening TV game show, assesses your test validation and development expertise.

Submit your completed game to TV&C to be entered in a drawing to win one of our fabulous prizes, again selected especially for you by the TV&C staff. All winners will be selected randomly from the pool of correct entries.

PRIZES: One free registration for a one-day SPB training course
One free hour of consultative assistance with a TV&C staff member
A free copy of TV&C's *Development & Use of Structured Employment Interviews* manual

Entries must be received by October 6, 2000.
Drawing will be held the week of October 16, 2000.

Send your completed entry to:

California State Personnel Board
Test Validation and Construction Unit
Extraordinaire Game
801 Capitol Mall, ms-37
Sacramento, CA 95814

Be sure to complete and submit the following information with your entry:

Name: _____ Phone Number: _____

Department: _____

Department Address: _____

Who wants to be a

(Flip the page and play TV&C's **TEST DEVELOPER EXTRAORDINAIRE?** !)